

Compliance



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Description

The Compliance Department provides compliance and enforcement support for both internal and external stakeholders in the following areas: City wage laws and labor standards, the occupational safety and health of City staff, City responses to internal and external audits, and compliance with external agency regulations. The Department also houses the Administrative Hearings program that provides appeals services to City departments. This program ensures that due process is maintained from the initial notice of hearing to the final decision.

Enforcement of the City's Living Wage, Prevailing Wage, and Minimum Wage and Earned Sick Leave Ordinances are provided by the Compliance Department's Office of Labor Standards and Enforcement (OLSE). OLSE staff ensure compliance with City wage ordinances by responding to complaints; conducting site visits and investigations; and, for those City contracts subject to Living and Prevailing Wage Ordinance requirements, conducting payroll monitoring.

Compliance Department's Occupational Safety and Health (OSH) team provides City departments with a central resource on safety standards and regulations, departmental safety plans, workplace ergonomics, and guidance on the implementation of safety protocols. This group provides support to safety teams in other City departments and operates as the safety team for those departments without in-house safety staff. OSH staff also work with the Risk Management department to support the City's Safety and Risk Oversight Committee.

The vision is:

To increase the quality of life for residents and City staff by enforcing labor standards and creating an internal citywide culture of safety management.

The mission is:

To serve our constituents through compliance with operational and fiscal best practices, City wage law, and employee workplace safety.

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Goals and Objectives

Goal 1: Support regional prosperity through wage and labor standards enforcement.

- Collaborate with regional agencies and organizations to provide efficient and comprehensive wage and labor standard services.
- Conduct data-driven, proactive labor compliance investigations.
- Respond quickly and thoroughly to resident complaints and to violations discovered through wage monitoring.
- Conduct education and outreach with the community to ensure workers are aware of their rights and that employers understand wage requirements and meet their obligations.

Goal 2: Implement, maintain, and improve City workplace safety practices.

- Facilitate City compliance with federal, State, and local safety regulations.
- Improve employee safety programs.

Goal 3: Provide excellent customer service.

- Seek feedback from internal and external stakeholders to identify areas of improvement.
- Respond timely to requests for service and support.

Budget Equity Impact Statement	
Budget Equity Lens Summary Base Budget	Budget Equity Lens Summary Budget Adjustment
<p><i>Is there an opportunity to adjust the department’s ongoing Base Budget to address disparity?</i></p> <p>Yes</p> <p>1. Redirecting any FY 2023 projected budgetary savings in non-personnel expenses to Minimum Wage outreach efforts which, at a minimum, include both English and Spanish language efforts. 2. Collaborating with City departments that provides services to San Diego businesses and contractors to provide information on complying with wage compliance laws. 3. Filling Compliance’s new training manager position to develop and provide safety information citywide.</p>	<p><i>Do the Budget Adjustments address a disparity?</i></p> <p>Yes</p> <p>Budget Adjustments will address disparities that align with the following Tactical Equity Plan goals: 1. Implement, maintain, and improve City workplace safety practices 2. Provide excellent customer service Budget Adjustment #1: Federal grant compliance and audit response, 1.00 FTE Budget Adjustment #2: Citywide Safety Data Analysis, 1.00 FTE Equity Lens Response: Addition of 1.00 Program Manager to support City federal grant compliance, Grand Jury responses, and provide support to departments when responding to City audits. This budget allocation benefits City employees of smaller departments who may not have staff focused specifically on audit or federal funding requirements and so who could benefit from additional support from the Compliance Department. Addition of 1.00 Program Coordinator and associated non-personnel expenditures to support citywide safety and driver data analysis. The</p>

Budget Equity Impact Statement	
	addition of this position will help to implement an audit recommendation and support the success of General Services' Geo-Tab program. This adjustment helps to support safety for all departments as well as promote safe driving on City streets.

Key Performance Indicators

Performance Indicator	FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Actual	FY2023 Actual	Goal
Number of outreach events held. ¹	N/A	N/A	N/A	N/A	33	28
Number of annual, proactive investigations or site visits performed. ²	N/A	N/A	N/A	N/A	184	172
Percent of wage or safety complaints investigated within the timeframe required by law or as established by the department. ³	N/A	N/A	N/A	N/A	100%	100%
Percent of departments made aware of new or updated Cal/OSHA, OSHA, or FMCSA (Federal Motor Carrier Safety Administration) safety regulations within 14 days of department's receipt of the information. ^{1,4}	N/A	N/A	N/A	N/A	N/A	100%

1. New key performance indicator added for FY 2024 to better align department performance with Tactical Equity Plan.
2. KPI has been updated to include all OLSE programs as well as OSH, not just Living Wage.
3. Consolidated prior department KPIs that repeated this measure for each program.
4. No new or updated Cal/OSHA, OSHA, or FMCSA regulations were introduced in FY 2023.

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Department Summary

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
FTE Positions (Budgeted)	16.00	34.00	36.00	2.00
Personnel Expenditures	\$ 2,030,287	\$ 4,401,725	\$ 5,351,517	\$ 949,792
Non-Personnel Expenditures	73,470	241,117	334,592	93,475
Total Department Expenditures	\$ 2,103,757	\$ 4,642,842	\$ 5,686,109	\$ 1,043,267
Total Department Revenue	\$ 507	\$ 1,633,363	\$ 360,000	\$ (1,273,363)

General Fund

Department Expenditures

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Compliance	\$ 2,103,757	\$ 4,642,842	\$ 5,686,109	\$ 1,043,267
Total	\$ 2,103,757	\$ 4,642,842	\$ 5,686,109	\$ 1,043,267

Department Personnel

	FY2022 Budget	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Compliance	16.00	34.00	36.00	2.00
Total	16.00	34.00	36.00	2.00

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Salary and Benefit Adjustments Adjustments to reflect savings resulting from vacant positions for any period of the fiscal year, retirement contributions, retiree health contributions, and labor negotiations.	0.00	\$ 613,126	\$ -
Grant and Audit Compliance Support Addition of 1.00 Program Manager to support City grant and audit compliance.	1.00	186,122	-
Analysis of Citywide Safety and Driving Data Addition of 1.00 Program Coordinator and associated non-personnel expenditures to support the analysis of citywide safety and driving data.	1.00	152,872	-
Support for Information Technology Adjustment to expenditure allocations according to an annual review of information technology funding requirements.	0.00	68,447	-
Non-Discretionary Adjustment Adjustment to expenditure allocations that are determined outside of the department's direct control. These allocations are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent.	0.00	26,734	-

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Significant Budget Adjustments

	FTE	Expenditures	Revenue
One-Time Additions and Annualizations	0.00	(4,034)	-
Adjustment to reflect one-time revenues and expenditures, and the annualization of revenues and expenditures, implemented in Fiscal Year 2023.			
Revised Reimbursable Revenue	0.00	-	(1,273,363)
Adjustment to reflect revised reimbursable revenue projections.			
Total	2.00 \$	1,043,267 \$	(1,273,363)

Expenditures by Category

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
PERSONNEL				
Personnel Cost	\$ 1,234,561	\$ 2,991,051	\$ 3,631,175	\$ 640,124
Fringe Benefits	795,726	1,410,674	1,720,342	309,668
PERSONNEL SUBTOTAL	2,030,287	4,401,725	5,351,517	949,792
NON-PERSONNEL				
Supplies	\$ 1,573	\$ 15,856	\$ 13,856	\$ (2,000)
Contracts & Services	68,224	98,940	127,902	28,962
<i>External Contracts & Services</i>	42,716	72,912	73,140	228
<i>Internal Contracts & Services</i>	25,508	26,028	54,762	28,734
Information Technology	1,239	124,462	190,975	66,513
Energy and Utilities	441	659	659	-
Other	1,993	1,200	1,200	-
NON-PERSONNEL SUBTOTAL	73,470	241,117	334,592	93,475
Total	\$ 2,103,757	\$ 4,642,842	\$ 5,686,109	\$ 1,043,267

Revenues by Category

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Charges for Services	\$ -	\$ 1,633,363	\$ 360,000	\$ (1,273,363)
Fines Forfeitures and Penalties	500	-	-	-
Other Revenue	7	-	-	-
Total	\$ 507	\$ 1,633,363	\$ 360,000	\$ (1,273,363)

Personnel Expenditures

Job Number	Job Title / Wages	FY2022 Budget	FY2023 Budget	FY2024 Adopted	Salary Range	Total
FTE, Salaries, and Wages						
20000012	Administrative Aide 1	0.00	1.00	1.00	\$ 51,126 - 61,583	\$ 51,126
20000024	Administrative Aide 2	0.00	1.00	1.00	58,888 - 70,962	58,888
20000041	Assistant Management Analyst	0.00	0.00	1.00	61,503 - 74,763	60,580
20000145	Associate Engineer-Civil	0.00	2.00	2.00	101,101 - 122,102	223,203
20000119	Associate Management Analyst	1.00	12.00	11.00	74,763 - 90,340	898,169
20001101	Department Director	1.00	1.00	1.00	89,589 - 339,372	205,192
20001168	Deputy Director	0.00	1.00	1.00	67,740 - 249,134	180,297
20001234	Program Coordinator	3.00	3.00	4.00	36,489 - 198,900	510,428
20001222	Program Manager	4.00	4.00	5.00	67,740 - 249,134	710,429

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Personnel Expenditures

Job Number	Job Title / Wages	FY2022 Budget	FY2023 Budget	FY2024 Adopted	Salary Range	Total
20001042	Safety and Training Manager	1.00	0.00	0.00	83,726 - 101,449	-
20000847	Safety Officer	3.00	3.00	3.00	72,628 - 87,711	263,133
20000854	Safety Representative 2	1.00	2.00	2.00	63,289 - 76,539	139,828
20000890	Senior Civil Engineer	0.00	1.00	1.00	116,542 - 140,885	140,885
20000015	Senior Management Analyst	1.00	2.00	2.00	82,066 - 99,234	178,323
20000970	Supervising Management Analyst	1.00	1.00	1.00	87,965 - 106,585	87,965
	Bilingual - Regular Budgeted Personnel					4,368
	Expenditure Savings					(101,101)
	Overtime Budgeted					3,400
	Vacation Pay In Lieu					16,062
FTE, Salaries, and Wages Subtotal		16.00	34.00	36.00		\$ 3,631,175

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Fringe Benefits				
Employee Offset Savings	\$ 10,808	\$ 11,047	\$ 16,740	\$ 5,693
Flexible Benefits	169,643	367,542	367,666	124
Insurance	877	-	-	-
Long-Term Disability	5,329	10,395	12,531	2,136
Medicare	18,530	43,088	52,369	9,281
Other Post-Employment Benefits	79,055	187,737	199,115	11,378
Retiree Medical Trust	1,870	5,785	6,935	1,150
Retirement 401 Plan	819	9,328	24,765	15,437
Retirement ADC	386,408	528,472	861,934	333,462
Retirement DROP	-	2,440	2,755	315
Risk Management Administration	14,274	38,445	45,045	6,600
Supplemental Pension Savings Plan	85,003	164,880	79,421	(85,459)
Unemployment Insurance	1,818	3,776	4,112	336
Workers' Compensation	21,293	37,739	46,954	9,215
Fringe Benefits Subtotal	\$ 795,726	\$ 1,410,674	\$ 1,720,342	\$ 309,668
Total Personnel Expenditures			\$ 5,351,517	